

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID K. CHESTER, III,
Petitioner,
vs.
MAGGIE MILLER-STOUT,
Respondent.

NO. CV-08-379-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
PETITION

Magistrate Judge Imbrogno filed a Report and Recommendation on March 30, 2009, recommending Mr. Chester's habeas corpus petition be dismissed as it plainly appeared Mr. Chester was not entitled to relief in the federal district court. There being no objections, the court **ADOPTS** the Report and Recommendation. The Petition is **DISMISSED WITH PREJUDICE** under Rule 4, Rules Governing Section 2254 Cases in the United States District Courts.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward copies to Petitioner and close the file.

DATED this 27th day of April, 2009.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE